

By: Senator(s) Gordon, Little, Kirby,  
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3064

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION  
3 TECHNOLOGY SERVICES FOR FISCAL YEAR 2006.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby authorized for expenditure out of any special  
7 source funds which are collected by or otherwise become available  
8 for the purpose of defraying the expenses of the Mississippi  
9 Department of Information Technology Services, for the fiscal year  
10 beginning July 1, 2005, and ending June 30, 2006.....  
11 ..... \$ 30,266,737.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of  
13 Section 1, not more than the amounts set forth below shall be  
14 expended for the respective major objects or purposes of  
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

|    |                                       |                  |
|----|---------------------------------------|------------------|
| 17 | Personal Services:                    |                  |
| 18 | Salaries, Wages and Fringe Benefits.. | \$ 9,105,089.00  |
| 19 | Travel and Subsistence.....           | 45,000.00        |
| 20 | Contractual Services.....             | 19,531,948.00    |
| 21 | Commodities.....                      | 294,700.00       |
| 22 | Capital Outlay:                       |                  |
| 23 | Other Than Equipment.....             | 0.00             |
| 24 | Equipment.....                        | 1,240,000.00     |
| 25 | Subsidies, Loans and Grants.....      | <u>50,000.00</u> |
| 26 | Total.....                            | \$ 30,266,737.00 |

27 AUTHORIZED POSITIONS:

|    |               |                |     |
|----|---------------|----------------|-----|
| 28 | Permanent:    | Full Time..... | 144 |
| 29 |               | Part Time..... | 0   |
| 30 | Time-Limited: | Full Time..... | 2   |
| 31 |               | Part Time..... | 0   |

32 With the funds herein appropriated, it is the intention of  
33 the Legislature that it shall be the agency's responsibility to  
34 make certain that funds required to be appropriated for "Personal  
35 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
36 funds appropriated for that purpose, unless programs or positions  
37 are added to the agency's Fiscal Year 2007 budget by the  
38 Mississippi Legislature. Based on data provided by the  
39 Legislative Budget Office, the State Personnel Board shall  
40 determine and publish the projected annual cost to fully fund all  
41 appropriated positions in compliance with the provisions of this  
42 act. It shall be the responsibility of the agency head to insure  
43 that no single personnel action increases this projected annual  
44 cost and/or the Fiscal Year 2006 appropriation for "Personal  
45 Services" when annualized, with the exception of escalated funds.  
46 If, at the time the agency takes any action to change "Personal  
47 Services," the State Personnel Board determines that the agency  
48 has taken an action which would cause the agency to exceed this  
49 projected annual cost or the Fiscal Year 2006 "Personal Services"  
50 appropriated level, when annualized, then only those actions which  
51 reduce the projected annual cost and/or the appropriation  
52 requirement will be processed by the State Personnel Board until  
53 such time as the requirements of this provision are met.

54 Any transfers or escalations shall be made in accordance with  
55 the terms, conditions and procedures established by law or  
56 allowable under the terms set forth within this act. The State  
57 Personnel Board shall not escalate positions without written  
58 approval from the Department of Finance and Administration. The  
59 Department of Finance and Administration shall not provide written  
60 approval to escalate any funds for salaries and/or positions

61 without proof of availability of new or additional funds above the  
62 appropriated level.

63 No general funds authorized to be expended herein shall be  
64 used to replace federal funds and/or other special funds which are  
65 being used for salaries authorized under the provisions of this  
66 act and which are withdrawn and no longer available.

67 **SECTION 3.** In order to offset the cost of publishing the  
68 annual Mississippi Official Telephone Directory, the Mississippi  
69 Department of Information Technology Services is hereby  
70 authorized, empowered and directed, in its discretion, to offer  
71 for advertising purposes, pages to be included in said Directory,  
72 to accept bids, and to let contracts for said pages. The  
73 contracts for said advertising purposes shall be let for definite  
74 periods not to exceed two (2) years.

75 It shall be the duty of the Mississippi Department of  
76 Information Technology Services, if it is desired that advertising  
77 shall be used, to approve all proposed advertising submitted for  
78 use within such annual Mississippi Official Telephone Directory.  
79 The department is hereby authorized, empowered and directed, in  
80 its discretion, to reject any and all bids submitted, and if all  
81 bids are rejected, the authority may negotiate a contract within  
82 the limitations of the specifications so long as the terms of any  
83 such negotiated contract are equal to or better than the  
84 comparable terms submitted by the lowest and best bidder. No  
85 sectarian, un-American, political, partisan or immoral  
86 advertisement, as determined solely by the authority or its  
87 successor, shall be accepted.

88 All monies derived from sale of such advertising shall be  
89 deposited in the appropriate special fund in the State Treasury to  
90 the credit of the Mississippi Department of Information Technology  
91 Services.

92 **SECTION 4.** The Mississippi Department of Information  
93 Technology Services is hereby authorized to receive additional

94 funds from any state agency or other source, including one hundred  
95 percent (100%) general-fund agencies, for the purpose of providing  
96 data processing or telecommunications services to any governmental  
97 organization contracting with the Mississippi Department of  
98 Information Technology Services for such services. The  
99 Mississippi Department of Information Technology Services is  
100 further authorized to escalate an amount not to exceed One Million  
101 Dollars (\$1,000,000.00) and to increase, up to a maximum of twenty  
102 (20) additional positions, the number of authorized positions  
103 listed in this act in order to provide the required data  
104 processing or telecommunications services for such governmental  
105 organizations, under the rules and regulations of the Department  
106 of Finance and Administration.

107       **SECTION 5.** Of the funds appropriated under the provisions of  
108 Section 1, One Hundred Thousand Dollars (\$100,000.00) is  
109 authorized for expenditure and for the established purpose of  
110 E-Government Special Fund 3602.

111       **SECTION 6.** None of the funds herein appropriated shall be  
112 expended by Information Technology Services unless assessments,  
113 fees or rate levels charged to other state agencies for services  
114 are at or below the January 1, 2005, fee structure level, except  
115 for the establishment of rates for a new or expanded service, and  
116 required increases due to costs not within the control of this  
117 agency.

118       **SECTION 7.** It is the intention of the Legislature that the  
119 Department of Information Technology Services shall maintain  
120 complete accounting and personnel records related to the  
121 expenditure of all funds appropriated under the provisions of this  
122 act and that such records shall be in the same format and level of  
123 details as maintained for Fiscal Year 2005. It is further the  
124 intention of the Legislature that the budget request for Fiscal  
125 Year 2007 shall be submitted to the Joint Legislative Budget  
126 Committee in a format and level of detail comparable to the format

127 and level of detail provided during the Fiscal Year 2006 budget  
128 request process.

129       **SECTION 8.** The money herein appropriated shall be paid by  
130 the State Treasurer out of any money in the State Treasury to the  
131 credit of the proper fund or funds as set forth in this act, upon  
132 warrants issued by the State Fiscal Officer; and the State Fiscal  
133 Officer shall issue his warrants upon requisitions signed by the  
134 proper person, officer or officers, in the manner provided by law.

135       **SECTION 9.** This act shall take effect and be in force from  
136 and after July 1, 2005.